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PRE-APPEAL BRIEF REQUEST FOR REVIEW	Docket Number (Optional) SON-3206

	Application Number	Filed
	10/593,061-Conf. #6470	February 12, 2007
	First Named Inventor: Hisashi Ohashi	
	Art Unit: 2172	Examiner: D. D. Song

Applicant requests review of the final rejection in the above-identified application. No amendments are being filed with this request.

This request is being filed with a notice of appeal.

The review is requested for the reason(s) stated on the attached sheet(s).
Note: No more than five (5) pages may be provided.

I am the

- [ ] applicant /inventor.
- [ ] assignee of record of the entire interest. See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96)
- [x] attorney or agent of record. Registration number 40,290/ 47,255
- [ ] attorney or agent acting under 37 CFR 1.34. Registration number if acting under 37 CFR 1.34. _____

Signature

Christopher M. Tobin/ Brian K. Dutton
Typed or printed name

(202) 955-3750
Telephone number

December 13, 2010
Date

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below*.

[X] *Total of 1 forms are submitted.

Docket No.: SON-3206
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Hisashi Ohashi

Application No.: 10/593,061 | Confirmation No.: 6470

Filed: February 12, 2007 | Art Unit: 2175

For: ELECTRONIC DEVICE AND FUNCTION ASSIGNING METHOD | Examiner: D. D. Song

REQUEST FOR PRE-APPEAL BRIEF PANEL REVIEW OF REJECTION

MS AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Madam:

This request for Pre-Appeal Panel Review is in response to the Final Office Action dated August 12, 2010 and received in this application. Appellant has concurrently filed a Notice of Appeal regarding all outstanding grounds of rejection and will file an Appeal Brief in due course. However, it is anticipated that Panel Review will obviate the need for the filing a Brief.

I. The Final Office Action improperly rejects claims 1, 2, 4-7, 9 and 10 under 35 U.S.C. § 102(b) as being as being anticipated by Maeda et al. (U.S. Pub. No. 2002/0015598, hereinafter referred to as "Maeda '598").

Maeda '598 ***fails*** to disclose, teach or suggest "*assigning means for assigning keys using the setting screen, wherein a first of the plurality of keys is assigned a function for displaying the setting screen, and wherein second and third of the plurality of keys are respectively assigned to one of a paired function.*"

Maeda '598 discloses a shortcut key display screen having a shortcut key to which an arbitrary function among a plurality of functions may be allocated thereto is displayable on a display unit. Every function setting screen comprises an allocation instruction key for providing instructions for allocating the function to the shortcut key, and, when the allocation instruction key is selected, a series of functions set before the function setting screen having the allocation instruction key is displayed on the display screen is allocated to the shortcut key.

Paragraph [0056-0066] of Maeda '598 discloses how to allocate and register short cut keys among keys K1-K9. Function and the like are to be allocated to the shortcut keys K1-K9 may be allocated even if they do not appertain to the basic function; that is even when they appertain to the editing function or finishing function. There is ***no mention*** of an assigning means for assigning keys using the setting screen, wherein a first of the plurality of keys is assigned a function for displaying the setting screen, and wherein second and third of the plurality of keys are respectively assigned to one of a paired function in Maeda '598. The allocations of the individual short cut keys K1-K9 are done separately without regard to a paired function.

Indeed, Maeda '598 does not teach or suggest associating such paired functions with an assignable button. By contrast, Applicant's claimed invention illustrates examples of paired functions. For example, in Fig. 4D, the shake compensation's 'on' and 'off' functions represent paired functions. Similarly, 'edit search +' and 'edit search -' represent paired functions.

The Office Action, nonetheless alleges that the second key, "2 in 1" (Basic 2) of Fig. 9, is assigned to one of a paired function, such as Left Staple, and a third key, for example "4 in 1" (Basic 3) of fig. 9 is assigned to the other of the paired function, such as Right Staple. This analysis of Maeda '598 is inaccurate.

In screen 61, of Figure 4, when the "2 in 1" key B8 is pressed, Maeda '598 switches to a second function setting screen 62 to which are displayed, in addition to the respective keys B7.about.B9, function keys such as the "left staple" key B13, "right staple" key B14, "none" key B15, "straight line" key B16, and "dotted line" key B17. In screen 62, when the "left staple" key B13 and "dotted line" key B17 are further pressed, it becomes a screen 62' in which the functions

keys of "2 in 1" key B8, "left staple" key B13 and "dotted line" key B17 are displayed with the black and white being inverted. Thereafter, when the "close" key B12 is pressed, the setting of detailed functions regarding the "consolidation" function is completed, the screen becomes a screen 6' in which the "consolidation" key B4 in screen 6 is displayed with the black and white being inverted, and, by pressing the start button 2b, the copying operation is performed according to the settings as described in the above.

Clearly, when discussing the Right and Left Staple functionality, Maeda '598 merely discloses predetermined settings of stapling which ***cannot be confused*** with Applicants claimed invention of assigning keys using the setting screen, wherein second and third of the plurality of keys are respectively assigned to one of a paired function. As stated previously, Maeda '598 discloses how to allocate and register short cut keys among keys K1-K9 without regard to assigning a paired function to a second and third key.

Accordingly, Applicant respectfully requests reversal of the rejection of claims 1, 2, 4-7, 9 and 10 under 35 U.S.C. § 102(b) as being anticipated by Maeda '598.

II. The Final Office Action improperly rejects claims 3 and 8 under 35 U.S.C. § 103(a) as being unpatentable over Maeda '598 in view of Matsumoto (U.S. Pub. No. 2002/0007487, hereinafter referred to as "Matsumoto '487").

Claims 3 and 8 depend from and thus incorporate the features of claims 1 and 6 which are neither disclosed nor suggested by Maeda '598, for the reasons stated above.

Matsumoto '487 does not remedy the deficiencies of Maeda '598, as the various features recited above are also absent from Matsumoto '487. For example, Applicant's claimed features of "*assigning means for assigning keys using the setting screen, wherein a first of the plurality of keys is assigned a function for displaying the setting screen, and wherein second and third of the plurality of keys are respectively assigned to one of a paired function,*" are neither disclosed nor suggested by Matsumoto '487.

Matsumoto '487 discloses a remote control mechanism for adjusting image quality in an incoming video signal. The device includes a remote control (Fig. 7) capable of assigning menu accessible commands to functional buttons 709-715. Figs. 8-14 illustrate how a user can traverse the available menus and register a given command with the function buttons.

Though Matsumoto '487 discloses a remote control capable of assigning menu accessible commands to functional buttons, there is ***no mention*** of an assigning means for assigning keys using the setting screen, wherein a first of the plurality of keys is assigned a function for displaying the setting screen, and wherein second and third of the plurality of keys are respectively assigned to one of a paired function.

Accordingly, Applicant respectfully requests reversal of the rejection of claims 3 and 8 under 35 U.S.C. § 103(a) as being unpatentable over Maeda '598 in view of Matsumoto '487.

III. The Final Office Action improperly rejects claims 11 and 12 under 35 U.S.C. § 103(a) as being unpatentable over Maeda '598 in view of Matsumoto '487 and further in view of Takagi et al (U.S. Pub. No. 2002/0112248, hereinafter referred to as "Takagi '248"). Applicant respectfully traverses this rejection.

As stated previously, Maeda '598 in view of Matsumoto '487 ***fails*** to disclose, teach or suggest "*assigning said function to the selected key, wherein said function is a paired function.*"

Takagi '248 does not remedy the deficiencies of Maeda '598 in view of Matsumoto '487, as the various features recited above are also absent from Takagi '248. For example, Applicant's claimed features of "*assigning said function to the selected key, wherein said function is a paired function,*" are neither disclosed nor suggested by Takagi '248.

Takagi '248 relates to a digital/analog broadcasting receiver having a function to select a user setting which defines the operation mode of this receiver for each of a plurality of users. A user operates an input device beforehand to set his/her own preferential operation mode of a receiver and assigns a desired selection number to the operation mode and then stores it in the

memory. In essence, Takagi '248 discloses how an operation mode is selected for each user to make a user setting and stored in a memory in correlation with a predetermined input pattern of an operation key.

Though Takagi '248 can select a user setting and can operate the direction keys to move the cursor and fix it using the ENTER key in order to select his desired operation mode, there is ***no mention*** of assigning said function to the selected key, wherein said function is a paired function. Indeed, Takagi '248 merely shows the settings of user (0) to user (3) and how to change the operation mode of the individual user settings within the display means. There is no assignment of a paired function in the manner claimed by the Applicant.

Accordingly, Applicant respectfully requests reversal of the rejection of claims 3-4, 8, 10-12, 16, 18 and 20-22 under 35 U.S.C. § 103(a) as being unpatentable over Maeda '598 and further in view of Matsumoto '487 in view of Takagi '248.

Dated: December 13, 2010

Respectfully submitted,

By_____

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